

## North American Numbering Council

### Meeting Minutes

October 20-21, 1998

**I. Time, Date and Place of Meeting:** The North American Numbering Council held a meeting, commencing at 8:30 a.m., at the Federal Communications Commission, 1919 M Street, NW, Room 856, Washington, DC, on October 20, 1998. On October 21, 1998, the meeting was held at the Sheraton City Centre, 1143 New Hampshire Avenue, NW, Washington, DC.

### II. List of Attendees:

#### A. Council Members

<u>Voting Members</u>	<u>Organization</u>
1. Emily Williams	ALTS
2. David Konczal	American Mobile Satellite
3. Edmund Gould	AT&T Corp.
4. Dan Hochvert	Bell Atlantic
5. Paul Kenefick	Cable & Wireless, Inc.
6. Ronald Binz	Competition Policy Institute
7. Lori Messing	CTIA
8. Alan Hasselwander	Frontier
9. Ted Noeker	GTE
10. Peter Guggina	MCI WorldCom
11. Gerry Thompson	Mobility Canada
12. Vincent Majkowski/Bruce Armstrong	NARUC
13. Bridget Szczech/Erin Duffy	NARUC
14. David Rolka/Amy Putnam	NARUC
15. Beth O'Donnell	NCTA
16. Robert Montgomery/Lawrence Krevor	Nextel Communications, Inc.
17. Elizabeth Lynch	NEXTLINK
18. Joe Kingrey	NORTEL Networks
19. Jerry O'Brien	Omnipoint
20. Trent Boaldin	OPASTCO
21. Mark Golden	PCIA
22. Mike Bennett	SBC Communications, Inc.
23. Elizabeth McJimsey	Sprint Corp
24. Paul Hart/Tony Pupek	USTA

#### Special Members (non-voting):

John Manning, ATIS

Ron Conners, NANPA

#### B. Commission Employees

Kris Monteith, Designated Federal Official

Blaise Scinto, Deputy Chief, Network Services Division (NSD)

Jared Carlson, NSD, CCB

Linda Simms, NSD, CCB

Jeannie Grimes, NSD, CCB  
Patrick Forster, NSD, CCB

**III. Estimated Public Attendance:** Approximately 45 members of the public attended the meeting as observers.

**IV. Documents Introduced:** Each member received the following handouts:

- (1) Industry Numbering Committee (INC) Report, Issue 105 - Number Pooling
- (2) INC Draft NANP Expansion Report, September 15, 1998
- (3) INC Uniform Dialing Plan, INC 97-0131-017, July 1998
- (4) Pennsylvania Public Utility Commission Opinion and Tentative Order Regarding Sprint Petition for Emergency Numbering Relief
- (5) NRO Report, Index and Executive Summary
- (6) Draft Transmittal Letter, NRO Report,
- (7) Omnipoint Position, Regarding Pennsylvania Public Utility Commission Order, NSD File No. L-97-42
- (8) Lockheed Martin October 19, 1998 Letter, Regarding Pennsylvania Public Utility Commission Order, NSD File No. L-97-42
- (9) Cost Recovery Working Group Report
- (10) LNPA Working Group Report
- (11) Wireless Number Pooling Subcommittee and Wireless Wireline Integration Subcommittee Report
- (12) NANPA Oversight Working Group Report
- (13) NANPA Oversight Working Group Position Regarding Maine and Massachusetts Issues Regarding Analysis of Virtual Pooling
- (14) NARUC Profiles of Regulatory Agencies of the United States and Canada
- (15) Minority Opinion of MCI WorldCom on Unassigned Number Porting, October 19, 1998
- (16) GTE and WinStar Minority Comments on NRO ITN (Individual Telephone Number) Unassigned Number Porting (UNP) Report, October 12, 1998
- (17) Decision Items for LINUS/COCUS Enforcement, Submission of Omnipoint, October 21, 1998

**V. Summary of the Meeting:**

**A. Welcoming Remarks.** Alan Hasselwander, Chairman of the Council, provided welcoming remarks.

**B. Approval of Minutes.** The September 22-23, 1998, meeting minutes were approved with minor typographical corrections.

**C. Industry Numbering Committee (INC) Report.** Jo Gallagher, Bell Atlantic, presented the INC report. Ms. Gallagher noted that there was no INC meeting after the September NANC meeting. Ms. Gallagher provided a high level review of the activities and issues pending at INC. Ms. Gallagher advised the NANC that the INC would continue to make final edits to the 1000 Block Number Pooling Assignment Guidelines at its October and November meetings.

Ms. Gallagher reported that, at this time, no new numbering policy issues have been identified for NANC review. Ms. Gallagher stated that INC has referred all identified policy issues, such as those raised in the reissued Uniform Dialing Plan, to NANC or regulatory bodies. In discussing the Uniform Dialing Plan, three policy issues were identified for NANC consideration: (1) adoption of 10-digit dialing; (2) elimination of the prefix "1" as either a toll indicator or as a 10 digit indicator, and (3) establishment of a date certain for implementation. Vince Majkowski, NARUC, confirmed that NARUC is actively reviewing the 10-digit dialing portion of the Uniform Dialing Plan. Discussion also ensued as to whether or not the "1" prefix issue should be addressed by the NRO WG.

A discussion followed about the policy questions embodied in the Uniform Dialing Plan and whether INC should formulate policy issues, such as specific number assignment guidelines on the NANP Expansion. Ms. Gallagher estimated that it would be at least two years before the INC would develop any specific guidelines for referral to the NANPA, at least with respect to the NANP expansion. Discussion also took place on the issue of the point at which NANC should address policy issues, in general, whether before the development of guidelines on a particular issue or after the guidelines already have been developed. Chairman Hasselwander noted that this issue periodically surfaces. For this reason, he suggested that the procedural question -- of when NANC should consider policy issues -- be referred to the Steering Group (SG) for review.

Ms. Gallagher resumed her review of the pending activities of INC. Ms. Gallagher stated that INC continues to work on Issue-022 (NANP Format Expansion). Six options for NANP expansion are being analyzed, and upon completion, a final report will be forwarded to the NANC. INC also continues to work on Issue 023R1 (Public Data Numbering and Dialing). Guidelines are being developed to allow for the assignment of NANP resources in 1000 blocks from geographic NPAs (at the NPA-NXX-X level) for ATM Switched Virtual Circuits (SVCs) and Frame Relay SVCs services. With respect to Issue 133 (Additional Toll Free Codes), the INC is currently evaluating options to expand the current toll-free NPAs: 800, 888, 877, 866, 855, 944, 833, and 822. The Ordering and Billing Forum estimates that numbers in the currently allocated toll-free NPAs noted above will be exhausted in 2004. INC also is addressing a Request for an NPA for Paid Access to NPA 877 Toll-Free Service, Issue 131, involving the reclamation of NPAs currently used for paid 800 services by Canadian and Caribbean service providers to access toll free numbers in the U.S. (i.e., NPAs 880, 881, and 882).

Ms. Gallagher reported that INC has tabled multiple CIC issues pending further FCC action in CC Docket No. 92-237, continues to address several issues concerning CO Code Assignment Guidelines, and is working Issue 149 (Disposition of Aging Document) for the incorporation of the definition and practices into appropriate INC guidelines. Finally, INC has established a new workshop to address wireless E911 emergency routing digits (Issue 150, Use of Dialable NANP Numbers for Wireless E911 Emergency Services Routing Digits).

**D. *INC Presentation of NANP Expansion Plan-Issue 022.*** Norm Epstein, INC Co-Chair on this issue, provided a status report on the NANP Format Expansion Plan. Mr. Epstein noted that the following sections are included in this report: Purpose and Scope of INC Issue 022; Assumptions and Constraints; Functionality; Assessment Criteria; Description of NANP Expansion Options; Schedule and Status of Workshop; and Future Meetings and Web Addresses. Mr. Epstein indicated that the draft report is a 'living' document that is constantly being worked and revised.

During the presentation, some discussion took place on NANP Expansion options, e.g., sectorization or specification of network destination codes, and whether public policy approvals, as well as greater study on the human impacts, are needed before assessments are made and guidelines established. Discussion also focused on the idea that potential negative impacts of any NANP expansion on consumers and on networks (e.g., ten-digit dialing acceptance; IP addressing incompatibilities), both current and future, must be determined and weighed carefully against any benefits to be realized. With regard to these concerns, Mr. Epstein responded that there would be a transition period with respect to any expansion plan, and that the transition could be as long as ten years.

When questioned about the disposition of the final report, Chairman Hasselwander indicated that the NANP expansion plan appeared to present policy issues similar to those presented in other contexts, and that the NANC Steering Group would take up the question of how policy issues should be handled during its meeting that evening. Peter Guggina, MCI WorldCom, agreed, and likened the NANP expansion to the Y2K problem. Mr. Guggina noted, however, that because the NANP expansion has potentially more serious negative impacts on society than Y2K, as well as impacts on future network architectures and operations, it should at least be given the same degree of scrutiny as the Y2K problem, if not more.

***E. Pennsylvania Public Utility Commission (PUC) Order: Opinion and Tentative Order Regarding the Petition for Emergency Numbering Relief filed by Sprint Spectrum, L.P.*** Dave Rolka, NARUC, summarized the Pennsylvania PUC order and the number conservation procedures discussed therein. Mr. Rolka stated that the order had been adopted on October 16, 1998, and seeks comments by October 26, 1998. Sprint filed its petition on September 29, seeking release of two NXXs in the 215 area code prior to July 1999, or, in the alternative, to shorten the six-month permissive dialing period and implement the NPA for the 215 area code in February, 1999.

Mr. Rolka reported that the Pennsylvania PUC had determined that it was not appropriate to grant Sprint the requested emergency relief, because of several events that had occurred within the past several weeks affecting the potential use of NXXs in the 215 area code. Instead, the Pennsylvania PUC proposed to offer willing participants in a number conservation trial in the 215 area code, access to portions of a limited number of NXXs through a number pooling trial, code-sharing, and a need-based lottery through which NXXs could be allocated and activated for those existing carriers that are unable to avail themselves of numbers either through pooling or code-sharing. Mr. Rolka also reported that Pennsylvania would use the New York guidelines in conducting its number pooling trial. Mr. Rolka also indicated that the parameters set forth in the FCC order, as well as ability to participate in code sharing or number pooling, would be the basis for the determination as to whether a carrier could participate in the lottery. He also indicated that Pennsylvania's proposed conservation measures were intended to be technology neutral.

***F. NRO Working Group Report.*** Mike Whaley, Co-Chair of the NRO-WG, provided the Working Group's report. Prior to discussing the release of the NRO-WG's Report, Peter Guggina asked if the NRO-WG had had a full opportunity to review the finalized version of the Report. Mr. Whaley noted that the document available on Chairman Hasselwander's web site was not complete; some pieces still are missing. He stated that there has not been adequate time for review by NRO-WG members.

Chairman Hasselwander stated that, in light of the inability of the NRO-WG to review the finalized version of the Report, the NANC must decide how to proceed. He noted, however, that the FCC needs a report out for public comment as soon as possible. Chairman Hasselwander stated that his personal position was that delaying public comment is not desirable. He also stated that he believes that the Report contains sufficient substance and detail on which to seek comment, and that going forward on a public policy level would still allow the NRO-WG to continue work on a guideline level. Chairman Hasselwander suggested that the NANC may want to identify items that the NRO-WG could work on in parallel with public comment on the existing Report.

Chairman Hasselwander then asked Mr. Whaley to proceed with the NRO-WG's report. Mr. Whaley reviewed the Executive Summary to the NRO-WG Report, stating that the Executive Summary had been accepted at the last NRO-WG meeting. Mr. Whaley reported that the NRO-WG had completed its review of the remaining 12 optimization methods as requested by the NANC. He noted, however, that because the NRO-WG had received insufficient data to perform quantitative analyses, no conclusions based on costs could be made. Mr. Whaley reported that the final Report to the NANC was to have been complete, but certain items were omitted inadvertently.

Peter Guggina stated that he had a concern with the unassigned number porting section and questioned whether the 8-14 months implementation timeframe reflected the opinion of the ITN Task Force. He also stated that he disagreed with the content of this section of the matrix. Chairman Hasselwander noted that the NANC would return to Mr. Guggina's question following the conclusion of Mr. Whaley's report. Mark Golden, PCIA, asked what the NRO-WG intended by the notation "did not evaluate" in the Executive Summary. Beth O'Donnell, NCTA, responded that if a particular measure, such as code sharing or reducing the demand for telephone numbers, did not have an advocate participating in the NRO-WG, the measure had not been evaluated by the NRO-WG.

The NANC then discussed that portion of the Executive Summary of the NRO-WG Report that indicates that an additional 8-14 months of initial implementation is required following 9-16 months of planning prior to a UNP order in a particular NPA. Mitch Kaufman, MCI WorldCom, stated that the 8-14 month time period is included in the Report, as well as the 9-16 month period. Mr. Kaufman noted that the 9-16 month period represents the time required for planning work, including drafting a request for proposals, requirements documents, and so forth, although the 9-16 month period could be coincident with the 8-14 month period. Chairman Hasselwander suggested, and the NANC agreed that changing the wording in the Report, from "are" to "may be," more accurately reflected the possibility that the two time periods may be coincident.

Following a break, Chairman Hasselwander noted that any mistakes in the Report are merely unintended oversights, resulting from the sheer volume of the material. He stated that he thought the NANC should move forward and submit the Report to the FCC. Chairman Hasselwander suggested that the NANC re-adopt the recommendation from the September 21 version of the Report. The NANC discussed whether the Report, which it acknowledged contained some editorial errors, should nonetheless be forwarded to the FCC. Certain members of the NANC stated that the Report could not go forward to the FCC without full NANC review of the final document, while other members stated they were comfortable with the submission of the Report, provided the errors and omissions were purely editorial. Chairman Hasselwander suggested that the Report should be sent to the FCC on Wednesday, October 21, with a letter asking that it not be put out for public comment until the

close of business Friday, October 23, to provide an opportunity for the NRO-WG to ensure that the document is editorially correct.

The NANC then discussed the content of the cover letter that would accompany the Report. On the issue of obtaining more useful cost information for the various measures proposed in the Report, Chairman Hasselwander suggested that he would recommend that the FCC ask for cost information from providers, carriers, and switch vendors for LNP-based measures. Paul Hart, USTA, stated that the cover letter could suggest that the FCC provide for the confidentiality of cost information as a means to assure more useful cost submissions in comments on the Report. Peter Guggina stated that if cost information was not disclosed, however, it would be difficult to prevent parties from overstating their costs. Chairman Hasselwander suggested that the cover letter recommend that the FCC ask commenting parties to provide cost information on LNP-based proposals, and that the FCC grant confidential treatment of cost information, if requested.

Jerry O'Brien, Omnipoint, suggested that implementing different number optimization measures in different areas could be problematic from a technical standpoint. Dan Hochvert, Bell Atlantic, noted that any cost information also would need to address the costs of transitioning from one number optimization measure to another over time. Chairman Hasselwander asked whether the cover letter should suggest that states be permitted to implement non-LNP based measures without further consultation with the FCC.

The NANC then discussed the states' role in number optimization strategies. Chairman Hasselwander noted consensus that the cover letter accompanying the Report include a suggestion that the FCC address issues of multiple jurisdiction over numbering resource optimization matters and cost data.

Following a break, the NANC discussed the ongoing work of the NRO-WG. Beth O'Donnell stated that the NRO-WG was currently looking at the requirements document, reservation process, policy issues, COCUS/LINUS, and audits. Peter Guggina suggested that the NRO-WG could undertake additional work on UNP-related issues, because UNP might be implemented earlier than ITN pooling. Following a discussion about what group should look at UNP, Chairman Hasselwander asked whether the work to be performed by the NRO-WG for the remainder of the year should be defined. Beth O'Donnell requested that the NANC set deadlines for the work pending before the NRO-WG. Following further discussion, Chairman Hasselwander stated that the work plan for the NRO-WG going forward would be discussed at that evening's Steering Group meeting.

### **WEDNESDAY, October 21, 1998**

Chairman Hasselwander stated that the proposed 1999 meeting schedule will be sent to members as soon as the proposed schedule could be confirmed by the FCC. He reported that because of the FCC's upcoming move to the Portals, the schedule had not been confirmed.

**F. NRO Working Group Report - Continued.** The NANC discussed the cover letter of the Report which Ron Binz and Chairman Hasselwander had drafted the previous night. Regarding treatment of confidential information, Kris Monteith, FCC, stated that, in general, a party seeking confidential treatment of information submitted to the Commission must request such treatment. Ms. Monteith stated that the FCC's rules cover the confidential treatment of specific kinds of information, for example, certain financial information and trade secrets. She stated that the FCC has some latitude

to treat data as confidential, but could seek public comment on data in the aggregate. Chairman Hasselwander noted that the precise treatment of confidential information would be left to the FCC.

The NANC then discussed a paragraph in the cover letter to the Report which mentions the FCC's recently-released Pennsylvania Order. Following minor revisions to that paragraph of the cover letter, Chairman Hasselwander re-read the paragraph to the NANC. Paul Hart suggested that the letter note that the interactive effects of the various conservation measures had not been evaluated. The NANC members concurred with the suggestion, and Chairman Hasselwander stated that the issue would be worked off-line for inclusion in a later draft of the cover letter. Chairman Hasselwander also stated that the cover letter would reference the recommendation section from the previous (September) issue of the Report.

Following a break, Ron Binz detailed the proposed changes to the cover letter. Chairman Hasselwander noted that a footnote referencing the prior NRO-WG Executive Summary and Recommendation would be added to the first paragraph. The NANC members concurred in the revised cover letter and agreed to submit it to the FCC, together with the October 21 Report.

**G. *Steering Group Report.*** Vince Majkowski, NARUC, provided the Steering Group report. Mr. Majkowski reported that, at its meeting the prior evening, the Steering Group considered proposed modifications to the existing NANC Working Group Operating Procedures and stated that the Steering Group will provide the draft modified version of the Operating Procedures to the full NANC at the NANC's November meeting. Mr. Majkowski reviewed, in general terms, the overall content of the proposed modifications, including several additions concerning due process, working group draft recommendations, time frames and due dates for the consideration and submittal of NANC documents. Mr. Majkowski also reported that the proposed changes incorporate principles for meeting decorum, including a 'monolog' to address that subject matter. On one particular issue, Mr. Majkowski indicated that NANC Working Groups and Task Forces should consider all external input regardless of whether the original advocate of the material was present to advance the proposal. Mr. Majkowski reported that the draft operating principles will be available for the NANC's consideration on the first day of its November meeting.

Mr. Majkowski reported that Steering Group also considered the possible need of NANC members to assist the NANC working groups. Specifically, the Steering Group discussed the idea that a NANC member should serve as a liaison or mentor to a working group.

Chairman Hasselwander also reported that several items referred to Steering Group will be carried over to the Steering Group's next meeting on November 18.

**H. *NBANC Update.*** Vince Majkowski, NARUC, provided a report on the NANPA Fund. Mr. Majkowski reviewed the fund status, including the current fund balance, the projected receivables, payments to Lockheed Martin and payments to NECA. (See Handout). Mr. Majkowski reported on the outstanding 1998 NANPA contributions, the outstanding payment of the Dominican Republic and Canada, and the 1999 Funding Process.

Anne La Lena, MCI WorldCom, inquired as to when NBANC would meet to discuss the safety factor for NBANC. Mr. Majkowski indicated that NBANC had a conference call scheduled for the

following day and a face-to-face meeting scheduled for November. As a consequence, Mr. Majkowski reported that NBANC would be prepared to discuss the safety factor at NANC's November meeting.

Ms. La Lena also inquired as to the amount outstanding from non-compliant carriers. Mr. Majkowski reported that the amount outstanding approximated \$20,000, or less than \$1,000 per carrier.

*I. COCUS/Line Utilization Survey.* The NANC discussed the COCUS/LINUS issue with members noting that an impasse had developed on a number of issues, including enforcement and confidentiality. Vince Majkowski and Bruce Armstrong, NARUC, stated that NARUC and NANPA should have flexibility to refer issues to state regulatory bodies for enforcement and that NANPA should not have to decide whether a carrier had failed to provide sufficient or accurate information. Mr. Majkowski indicated that the states need to be able to obtain data on specific carriers from NANPA.

Carl Hansen, Omnipoint, reviewed Omnipoint's contribution on this issue and stated that Omnipoint is concerned about keeping NANPA neutral in these matters. Upon finding of a discrepancy, Omnipoint recommends that the matter be forwarded to the FCC. The FCC should establish a process for dealing with such issues expeditiously. Mr. Hansen indicated that Omnipoint disagrees with the NARUC position that the states should have authority to enforce compliance with any utilization and/or forecast data requirement.

Ron Conners, Lockheed Martin, stated that it is important for NANPA to have the ability to withhold the assignment of numbering resources upfront.

On the issue of confidentiality, Chairman Hasselwander noted that Dave Rolka, NARUC, had provided a NARUC-developed state-by-state compendium of Freedom of Information laws and/or rules.

Vince Majkowski recommended that the NANC vote on the issue of COCUS/LINUS enforcement and confidentiality, attach majority and minority positions, and forward the recommendation to the FCC for a final decision. Peter Guggina suggested, however, that it might be difficult to reach consensus and vote without a list of agreements and disagreements.

Chairman Hasselwander indicated that he believes this issue requires more socialization overall. He also stated that Bruce Armstrong had previously identified the issues and positions in a matrix, which could be used as a basis for incorporating the positions of NANPA, Omnipoint and GTE. Chairman Hasselwander indicated that a single document identifying the differing positions would be very helpful. Due to time constraints, Chairman Hasselwander suggested that the consolidated document be worked off-line and sent out to the full NANC before its next meeting, with the Omnipoint contribution serving as a starting point.

Chairman Hasselwander also stated that NANC must draw a bright line on policy issues, and clearly formulate its recommendations. Chairman Hasselwander suggested that the NANC needs to move forward on these issues.

The NANC agreed that the issues will be considered for resolution at the November NANC meeting.

**J. LNPA Working Group Report.** Paula Jordan and Tom Sweeney, Co-Chairs of the LNPA WG, provided the report. Ms. Jordan reported on the Wireless Number Portability Subcommittee (WNPSC) and Wireline/Wireless Integration Subcommittee (WWISC) meetings held on October 12, 13, and 14. Ms. Jordan reported that the WNPSC had reviewed alternatives for wireless business hours, reviewed and defined wireless testing milestones, and reviewed and discussed the status of NANC change orders 201, 202, and 203.

Ms. Jordan further reported that the WWISC had recommended to the LNPA WG that delivery of the Wireline Wireless Integration Report to NANC be deferred until June 1999, to accomplish data collection and further studies, in order to develop its recommendation on porting intervals when porting occurs from wireline to wireless carriers. Ms. Jordan reported that the LNPA WG had not been able to reach consensus on this issue.

A discussion ensued on the issue of the recommended extension of time. Chairman Hasselwander asked whether the extension is a result of the FCC's order extending the time within which the wireless industry must implement local number portability. Ms. Jordan reported that the difficulty remains the lack of agreement on the interval for the porting of numbers between wireline and wireless carriers and that the Working Group needs additional time to work this issue.

Further discussion followed. Chairman Hasselwander stated his concern for granting an extension without having a solid recommendation, a solid reason, or a solid understanding of the implications of granting the extension. Ms. Jordan stated that she is not aware of any implications that will result from the extension. Moreover, without the extension, Ms. Jordan stated that she believes the WWISC's December Report will not state anything other than that the WWISC lacked sufficient information to determine the appropriate porting interval between wireline and wireless carriers.

Following discussion, consensus was reached that the NANC should not agree to an extension without fully understanding the need for the extension and the possible implications of it. The NANC agreed to remand the issue to the LNPA with the message that a quality report is needed, that the NANC needs to know how much time the LNPA WG needs in order to produce such a report, and that the NANC requires an identification of the possible implications of the delay. Following discussion on how the WWISC might obtain information necessary to produce a quality report, the NANC agreed that the wireless trade associations might assist; the LNPA WG should provide the associations with a document for their use, outlining the LNPA WG's needs for participation by a greater number of wireless services providers.

Tom Sweeney then provided the report of the LNPA WG, in accordance with the Handout provided to the NANC members. In particular, Mr. Sweeney reported on the LSMS/SOA Performance Requirements. Mr. Sweeney reported that three definitions had been developed; namely, that of a "slow horse," a local service provider whose LSMS/SOA system cannot handle the TN download rate from the regional NPAC SMS; a "lame horse," a service provider LSMS/SOA that has limited ability to handle TN ranges in a download; and, a "dead horse," a service provider whose LSMS/SOA is down during scheduled operating hours. Ed Gould, AT&T, noted that the issues are important, particularly with the wireless integration. Dan Hochvert, Bell Atlantic, noted that NANC members need to be able to identify their horses. Mr. Sweeney reiterated that NPAC must be able to identify service providers that pose problems because of the overall impact on the industry.

**K. NANPA Oversight Working Group Report.** Andrea Cooper, Co-Chair of the NANPA Oversight WG, provided the report. Ms. Cooper reported that, at its September 24 meeting, the NANPA Oversight WG continued its work on Central Office Code Transition Task Force issues, the non-disclosure agreement necessary to begin the performance review of the NANPA, the Massachusetts and Maine letters, the issue of the neutrality of Lockheed Martin and the population of the draft performance matrix. With respect to key agreements that had been reached, Ms. Cooper reported that an Audits Subgroup, to be chaired by Pat Caldwell, BellSouth, had been established to concentrate first on the audits of service providers. In addition, a NANPA Response Subgroup had been formed to begin populating the performance/compliance matrix.

Brent Struthers, Co-Chair of the NANPA Oversight WG, reported on the Working Group's position on the Maine and Massachusetts letters to the NANPA. Specifically, the NANPA Oversight WG determined that the NANPA need not perform the analysis of virtual pooling as requested by Maine and Massachusetts, although the NANP should assist the state commissions in performing their own analysis of number pooling. The NANPA Oversight WG position paper was accepted by the NANC.

**L. Cost Recovery Working Group Report.** Anne La Lena, Co-Chair of the Cost Recovery WG, provided the report. Ms. La Lena reported that the Cost Recovery WG has pending before it issues regarding NBANC, including decisions on the proper safety factor for 1999 billings and collections, the handling of overages paid by US carriers in 1998, and the payment of NANP fees by Canada, the Caribbean and Bermuda. The Working Group also is working on an outline for cost recovery for 1,000 block number pooling and administration and individual telephone number cost allocation. Additional information will be reported at the next NANC meeting.

**M. Definition of a Reserved Telephone Number.** Ed Gould, AT&T, reported on the work to develop a consensus definition of "reserved number." Mr. Gould reported that no contributions had been received. He agreed to chair a conference call of interested parties to try to reconcile differences in positions. A consensus document will be provided to the NANC at its November meeting. Mr. Gould also reported that, to the best of his knowledge, the porting of reserved numbers is occurring at present. Dan Hochvert stated that he understands the distinction between the obligation to port versus a bilateral agreement to port numbers. The NANC's definition of "reserved number" should clarify the circumstances under which a service provider must port.

**N. FCC Order Regarding Pennsylvania Area Code Relief; Discussion of NANC Responsibilities.** Chairman Hasselwander initiated the discussion by reviewing the FCC's direction, in paragraph 58 of the Order, to the NANC. Essentially, the Order asks the NANC for a recommendation as to whether state commissions or the NANPA should perform the function of evaluating whether a carrier that is subject to an NXX code rationing plan should receive an NXX or multiple NXXs outside the parameters of the rationing plan.

A contribution made by Omnipoint was discussed. Omnipoint supports NANPA as the decision-maker, rather than the state commissions, subject to detailed FCC guidelines for collecting and analyzing information necessary to process extraordinary requests for NXXs when a carrier is subject to a code rationing plan.

In response to Chairman Hasselwander's question, Bridget Szczech, NARUC, reported that NARUC believes that the states must be the decision-makers; placing the decision-making in NANPA would

compromise NANPA's neutrality. Paul Hart, USTA, supported NARUC's position, stating that NANPA is an administrator, not a decision-maker. Dan Hochvert suggested that before a decision can be made guidelines, agreed to by all parties, must be developed. Mike Bennett, SBC, stated that exceptions to any rationing plan must be extraordinary; in other words, the standards and the guidelines must be 'black and white.'

Chairman Hasselwander questioned whether it is possible to draw bright line guidelines. Peter Guggina noted that he could not envision the development of guidelines that did not require any level of judgment; indeed, Mr. Guggina noted that it is the regulator's function to look at extenuating circumstances. Brent Struthers questioned the authority of NANPA to go outside the bounds of a state-ordered rationing plan. Mike Bennett suggested that NANC advise the FCC on the ramifications of going outside of a state-ordered rationing plan and that exceptions, if any, should be extremely limited. Carl Hansen stated that even if state commissions are the decision-makers, guidelines still will be needed to ensure that requests are acted on in a fair and nondiscriminatory manner.

Further discussion ensued about the advantages and disadvantages of each position. Chairman Hasselwander then suggested that contributions be made. To the extent guidelines are suggested, Chairman Hasselwander suggested that advocates submit proposed guidelines, at least in broad principles. Ron Conners, Lockheed Martin, agreed to provide a list of 'hurdles' that Lockheed Martin, as NANPA, faces in making decisions outside the confines of guidelines.

**O. Other Business.** Chairman Hasselwander reported on a request from Richard Levine to speak to the NANC. Professor Levine has appeared before NARUC and T1-S1.3, both of which have suggested that he submit his ideas to a policy-making entity. Peter Guggina noted that the NANC is a federal advisory committee and that we would be remiss if we did not explore Professor Levine's ideas. Mark Golden, PCIA, added that he believes there is an obligation under FACA to accommodate requests to make presentations to the NANC. Kris Monteith, FCC, noted that the NANC does have an obligation to give members of the public an opportunity to present their ideas; indeed, every public notice announcing forthcoming NANC meetings includes an invitation to make presentations to the NANC. Ted Noeker, GTE, suggested the NANC agree to hear Professor Levine's proposal. The NANC agreed to invite Professor Levine to make a presentation at its November meeting.

## **VI. Action Items and Decisions Reached:**

1. INC Report. Address the policy implications of numbering issues in the Steering Group. Actively solicit participation of non-Steering Group members in the process. Include the issue: What does the forum do with the NANP Expansion report when it is complete? This issue is to be worked at the Steering Group meeting in November.
2. NRO Working Group Report. Affirmation of Statement (NANC Recommendation) from September NANC meeting (circulated as a handout).

The reworked report will be forwarded to the Chief, Common Carrier Bureau, by 5 p.m. on October 21, 1998. The cover letter will state that the forwarded report is the industry's best effort at the time

to serve as a trigger for public comment cycle after final edited version submission on October 23, 1998.

The document will remain open for editorial changes until the revised version is submitted on October 23, 1998.

Comments received during the editing process will be made public.

The editorial group will be established, consisting of WinStar, NRO Co-Chairs, and others present at the last NRO WG meeting, to rework the document. The revised document will be released to the Commission by the close of business on October 23, 1998.

With respect to LNP-based alternatives, service providers, carriers, and suppliers will be asked to provide cost data. Confidential treatment of data submitted should be offered, if desired.

The Commission's inquiry should specifically ask for comments on non-LNP based options and possible interference between them.

The Commission's inquiry should ask for comments on what further work is needed from NANC on non-LNP based methods for optimization of numbering resources.

Issue of work prioritization

6. Reserved Telephone Numbers. Ed Gould will set up conference call for interested parties, prior to the November NANC meeting, to discuss the definition of reserved TNs, and other issues, in order to prepare a recommendation for the NANC's consideration at the November meeting. The tentative date for conference call is November 10. Contributions should be submitted prior to November 10.

7. Pennsylvania Order - CC Docket No. 96-98, NSD File No. L-97-42. Regarding paragraph 58, NANC members will submit contributions, including proposed guidelines, concerning the issue of evaluation and selection of whether a state commission or NANPA should perform the function of evaluating whether a carrier who is subject to a rationing plan should receive an NXX . . . outside the parameters of a rationing plan if it demonstrates it has no numbers and cannot provide service to customers, or is relying on extraordinary or costly measures in order to provide service.

Emails should be sent to Ron Conners (NANPA) by November 11. Mr. Conners also will make a list of items that are instrumental in the process, to be distributed by email by close of business on October 27, 1998.

Mr. Conners will assemble contributions for re-distribution to the NANC, as he receives them, with NANPA comments and/or annotations.

8. Other Business. Professor Richard Levine will be invited to the November NANC meeting for